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05-R-1417
(Do Not Write Above This Line)

A RESOLUTION BY
COUNCILMEMBER H. LAMAR WILLIS

A RESOLUTION BY COUNCILMEMBER H. LAMAR WILLIS CALLING FOR THE CITY OF ATLANTA AND THE COMMUNITY IMPROVEMENT DISTRICTS TO PROVIDE ADEQUATE PUBLIC ACCOMODATIONS.

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Date Referred

7/18/05

Referred To:

CD/HR

Date Referred

Referred To:

Date Referred

Referred To:

FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

DEPARTMENTAL AUTHORIZATION

MAYOR'S ACTION

A RESOLUTION BY
COUNCILMEMBER H. LAMAR WILLIS

05-R-1417

**A RESOLUTION BY COUNCILMEMBER H. LAMAR WILLIS
CALLING FOR THE CITY OF ATLANTA AND THE COMMUNITY
IMPROVEMENT DISTRICTS TO PROVIDE ADEQUATE PUBLIC
ACCOMODATIONS.**

WHEREAS, the City of Atlanta has been criticized for its lack of public toilet facilities;
and

WHEREAS, in recognition of the homeless population, providing access to public
restrooms can alleviate the problems posed by public urination and defecation; and

WHEREAS, the provision of facilities of public accommodation can foster a more
tourist-friendly environment by also giving visitors access to such facilities; and

WHEREAS, many cities across the United States are installing Automated Public Toilets
(APTs) in their efforts to increase public accommodations which are safe and clean
without leading to loitering; and

WHEREAS, the Metropolitan Atlanta Rapid Transit Authority (MARTA) has already
successfully tested one of these Automated Public Toilet in a transit station; and

WHEREAS, Automated Public Toilets are self-cleaning, self-managing devices that
require little maintenance, and are time-controlled so that a user has a limited time in the
facility and cannot loiter inside; and

WHEREAS, increasing access to clean and safe public toilet facilities in the City of
Atlanta can contribute to the improved health and quality of life of those who live, work,
and visit the area.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA
HEREBY RESOLVES:**

SECTION 1:

In recognition of the need for greater public accommodations, the City and the
Community Improvement Districts shall develop a plan for the provision of increased
public accommodations such as automated public toilet facilities. The plan should
identify the legislation necessary to accomplish the installation of these facilities, the
location and quantity of such facilities, as well as the measures that will be taken to
ensure that homeless persons will have access to the facilities if they cannot afford to pay.

SECTION 2:

All resolutions and parts of resolutions in conflict herewith are hereby rescinded.

Public Toilet Facilities

White Paper
By Councilmember H. Lamar Willis

Background

The lack of public toilet facilities presents both public health and quality of life issues for those who live, work, and visit Atlanta, and it is imperative that Atlanta and its Community Improvement Districts begin to address this problem with real solutions.

The City of Atlanta has been criticized by homeless advocates for its “criminalization” of public urination, which is prohibited in Section 106-130 of the Code of Ordinances.¹ Such advocates attribute many of the arrests for violation of this quality of life ordinance to the lack of public toilet facilities in Atlanta.² In years past, many religious organizations throughout Atlanta have campaigned for the installation of pay public toilets, finding that the provision of public toilets would benefit everyone.³

By providing public accommodations like automated public toilets throughout the City, everyone including the homeless will be afforded the opportunity to use a safe and clean facility. Furthermore, this greater availability of public toilet facilities can potentially reduce the violations of the ordinance by those who typically don’t have access to such facilities, and, in turn, can improve the cleanliness of our City.

Many cities across the country have already begun to install public toilet facilities in the form of high-tech, self-cleaning Automated Public Toilets (APTs). Manufacturers of these facilities aim to provide a “public facility which provides the highest standard of hygiene and safety for users, meets the needs of the disabled, and discourages loitering or vandalism.”⁴ Los Angeles has already installed three APTs as of September 2004 and has plans to eventually place 150 of the facilities throughout its city.⁵ Seattle recently installed five, Boston has eight, and New Orleans, San Jose, Pittsburgh have intentions of installing APTs in their cities.⁶ This trend originated in Europe, and cities in the United States have recently caught on, recognizing that these facilities provide safe and clean public toilets for its residents and visitors. Whereas typical public restrooms attract loiterers and vagrants and are viewed as dirty or unsanitary, an APT is a time-controlled

¹ Section 106-130 of the *Atlanta City Code of Ordinances* prohibits any person any person from defecating or urinating on the streets or sidewalks, or in the halls or elevators of public or commercial buildings, or on any property open to public view in the city.

² “Illegal to be Homeless: The Criminalization of Homelessness in the United States,” National Coalition for the Homeless and the National Law Center on Homelessness & Poverty, January 2002. www.nlchp.org [Accessed July 12, 2005]

³ Atlanta Downtown Neighborhood Association meeting minutes, January 8, 2002. www.adna.org [Accessed July 12, 2005]

⁴ Exeloo Western, Inc., www.exeloo.com

⁵ www.americanrestroom.org/apt/ [Accessed July 11, 2005]

⁶ www.americanrestroom.org/apt/ [Accessed July 11, 2005]

facility where a user pays a small amount of twenty-five cents for a predetermined number of minutes to use the APT, and upon the user leaving, the facility employs a mechanism where it cleans itself. MARTA has even installed an APT in its Hamilton E. Holmes West Line stop as a part of a trial run.⁷

Proposal for Atlanta

As the City of Atlanta lacks public toilet facilities, the accompanying Resolution calls for the City and the Community Improvement Districts to develop a plan to provide these public accommodations. The public toilets ideally will be substantially similar to the Automated Public Toilets (APTs), which have already been successfully installed in other large cities in the United States. Such facilities, which are self-cleaning, time controlled devices that require the user to pay a minimal fee of twenty-five cents to have access to the toilet, should be placed throughout the downtown area in locations identified by the City and Community Improvement Districts.

The following are vendors and manufacturers of the Automated Public Toilets: Exeloo East, Exeloo Western, Inc., JCDecaux North America, Hering Bau GmbH & Co., and Aluline Limited UK, and information regarding these public toilets can be retrieved from the American Restroom Association (www.americanrestroom.org). In most instances, these toilets are installed and funded through long-term advertising contracts. Some estimates for each facility range from \$90,000 to \$150,000, while other estimates are more modest.

Because homeless persons may not be able to pay for access to the APTs, as was proposed in past efforts to increase public toilet access in Atlanta, homelessness service organizations could provide the homeless reusable tokens so they could have access to these facilities.⁸ This could help relieve the problems posed by the frequent public urination and defecation by the homeless who have been left with few alternatives.

The City and the Community Improvement Districts should evaluate the options provided by the different manufacturers of APTs and they should identify the desirable locations and ideal quantity of APTs. Additionally, the legislative measures (addressing the signage regulations for any advertising on the APTs as well as any budgetary considerations) that will be necessary to accomplish the installation of these devices should also be identified. As part of its evaluative process and before it institutes citywide measures, the City could pursue a pilot program to help evaluate the facilities, as it has been suggested in the past, similar to the pilot program that was used by MARTA when it tested out one of Exeloo's APTs in one of its west line stations.

⁷ www.americanrestroom.org/apt/ [Accessed July 11, 2005]

⁸ Youngblood, Leslie C., "A Matter of Necessity: Pay Public Toilets for Atlanta," *Faith and the City*, Volume 1 Issue 5, August 8, 2002.